

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TRUSTEES OF THE LOCAL 7 TILE  
INDUSTRY WELFARE FUND,  
TRUSTEES OF THE LOCAL 7 TILE  
INDUSTRY ANNUITY FUND,  
TRUSTEES OF THE TILE LAYERS  
LOCAL UNION 52 PENSION FUND,  
TRUSTEES OF THE BRICKLAYERS &  
TROWEL TRADES INTERNATIONAL  
PENSION FUND, and TRUSTEES OF  
THE INTERNATIONAL MASONRY  
INSTITUTE,

**ORDER**

Plaintiffs,

10 CV 322 (SJ) (LB)

-against-

CITY TILE, INC.,

Defendant.

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**A P P E A R A N C E S**

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By: Charles R. Virginia

Judy Wong

Attorneys for Plaintiffs

JOHNSON, Senior District Judge:

Presently before the Court is a Report and Recommendation (“Report”) prepared by Magistrate Judge Andrew L. Carter. Judge Carter issued the Report on December 7, 2011, awarding damages and attorneys’ fees to Plaintiff following

Defendant's default. Neither party filed any objections to the Report. For the reasons stated herein, this Court affirms and adopts the Report in its entirety.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate's report. See Id. Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. See Id. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985). In addition, failure to file timely objections may waive the right to appeal this Court's Order. See 28 U.S.C. § 636(b)(1); Small v. Sec'y of Health and Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

In this case, objections to Magistrate Judge Carter's recommendations were due on December 21, 2011. No objections to the Report were filed with this Court. Upon review of the recommendations, this Court adopts and affirms Magistrate Judge Carter's Report in its entirety.

SO ORDERED.

Dated: January 17, 2012  
Brooklyn, NY

\_\_\_\_\_/s\_\_\_\_\_  
Senior United States District Judge